

# Judicial Branch

California's judicial authority is vested by the State Constitution in a tripartite court system composed of the Supreme Court, the Courts of Appeal, and the trial courts. The Administrative Office of the Courts (AOC) provides support to the Supreme Court, the Courts of Appeal, the trial courts, and the Judicial Council. Judicial discipline is administered by the Commission on Judicial Performance. At the local level, the trial courts consist of the unified superior courts, the superior courts, and the municipal courts.

For fiscal year 2000-01, the Governor's Budget proposes approximately \$2.427 billion for the Judicial Branch, in combined General Fund, special funds, federal funds, and reimbursements: \$333.9 million (\$279.9 million General Fund) in state operations and local assistance for the Judiciary; \$3.7 million in General Fund for the Commission on Judicial Performance; \$1.984 billion (\$1.050 billion General Fund) for the trial courts; and \$105.8 million (\$102.0 million General Fund) for the judges' retirement costs (see [Figure JB-1](#)).

**Judiciary**—The 2000-01 Judicial Budget (Supreme Court, Courts of Appeal, AOC, and the Habeas Corpus Resource Center) totals \$333.9 million, \$275.2 million for state operations and \$58.7 million for local assistance, an increase of \$26.3 million (\$25.8 million General Fund) over the revised 1999-2000 Budget of \$307.6 million. The Budget includes \$11.9 million General Fund for general compensation increases for the State Judiciary, and \$10.5 million in annualized costs for 12 appellate justices and related staff proposed in 1999-00 and for additional State Judicial facility costs. For 2000-01, the Budget includes:

- \$14.0 million to provide for a 5 percent salary increase for all judicial officers in the State court system. Approximately \$843,000 of this amount is for the Judiciary and \$13.2 million for Trial Court Funding.
- Approximately \$2.5 million to address hiring costs and geographical compensation pressures of the Judiciary and \$1.3 million to support additional operations of the court-appointed counsel program in the appellate courts.
- \$625,000 to fund workload and equipment needs of the Supreme Court.
- \$4.2 million to address workload in the Courts of Appeal and related program needs associated with appellate adjudication, case processing, administrative support and function, technological staff support, and special repairs.
- \$10.0 million to continue in 2000-01 the Equal Access Fund which was first enacted in 1999-00. The Judiciary currently distributes the Equal Access Fund moneys through the State Bar to nonprofit legal assistance organizations throughout the state to provide legal assistance in civil matters to low-income parties in need of legal representation.
- \$4.0 million for the Judicial Council to address workload needs and provide resources to improve administrative support services to the trial courts in response to the Lockyer-Isenberg Trial Court Funding Act of 1997 (Chapter 850, Statutes of 1997).
- \$1.0 million to provide additional support staff and infrastructure resources for the Habeas Corpus Resource Center. The Center was created in 1997-98 to provide direct

habeas representation in capital cases and thereby assist in reducing the number of unrepresented capital case defendants.

**Trial Court Funding**—The 2000-01 Trial Court Funding Budget totals \$1.984 billion (\$1.050 billion General Fund), an increase of \$139.0 million (\$100.9 million General Fund) over the revised 1999-00 Budget of \$1.845 billion (\$949.1 million General Fund). The 2000-01 Budget includes General Fund augmentations of:

- \$20.0 million for increased costs due to negotiated salary increases of trial court employees at the local level. These negotiations are expected to be completed within the 2000-01 fiscal year and will address salary adjustments for the 19,000 trial court employees.
- \$10.0 million to provide additional family and children court services, and to improve technology.
- \$4.8 million to address workload growth in the trial courts and to provide an increase in the rate of compensation for certified court interpreters from the current \$243 per day to \$265 per day.
- \$22.0 million is proposed on a one-time basis to support case processing technology and related resources, especially for smaller trial courts which, until Trial Court Reform, were largely dependent upon their respective county agencies for their technology support and maintenance. This funding would specifically improve criminal, civil, and traffic-related case processing.
- \$16.8 million is provided to address Jury Reform issues by providing for the continued implementation of one-day/one-trial jury service and an increase in juror compensation from \$5 to \$12 per day.
- \$1.2 million to address workload associated with elder protective orders.

**Unification**—Proposition 220, adopted in June 1998, permits county level trial courts to unify their superior and municipal court operations. As of September 1, 1999, the unified courts were authorized 993 judgeships. Unified superior courts exist in those counties in which the judges have voted to unify superior and municipal court functions to achieve countywide efficiencies in operation and caseload processing. With the current unification of all but four counties as of September 1999, the superior courts will have approximately 19,000 employees in 2000-01; municipal courts and staff will have been absorbed into the unified court system in each county.

**The Judicial Administration Efficiency and Modernization Fund**—The Modernization Fund was created by Chapter 850, Statutes of 1997 and intended to provide funding for the trial courts in the areas of court technology advancement and court case processing enhancement. The Budget includes \$2.6 million in baseline adjustments to annualize two pilot projects begun in 1999-00 related to managing complex litigation and alternative dispute resolution (\$2.1 million is included in the Modernization Fund and \$495,000 addresses administrative costs to the Judiciary).

**Task Forces**—Chapter 850, Statutes of 1997, also established two task forces to review employee and facility issues related to the courts.

The Task Force on Trial Court Facilities was established to study and make recommendations related to the funding of trial and appellate court facility maintenance, improvement, and expansion. Other than minor indoor remodeling and maintenance, court facility costs are currently the responsibility of the counties in which the facilities are located. The first interim report was published on October 1, 1999. The report laid out the preliminary guidelines recommended for use in future court facility planning. The facilities task force is expected to submit a second interim report on January 1, 2001, and its final report of recommendations on July 1, 2001.

The Task Force on Trial Court Employees is charged with examining trial court employee issues and making recommendations to the Legislature concerning the future personnel structure of trial court employees. Currently, most trial court employees are county employees. Task force responsibilities also include preparing a method for submitting the issue of employment status to an advisory vote of trial court employees in each county. The first interim report was published May 7, 1999. That report established the initial definitions of a trial court employee and related status options, the components of an applicable personnel system framework and the survey tools to be used for field research. The second interim report was published October 12, 1999. The second report recommended a new personnel system that:

- Achieves a system with local flexibility yet statewide applicability.
- Maintains employees' current classifications and salaries.
- Does not reduce the level of benefits of trial court employees as a result of the implementation of the trial court personnel system.
- Includes discipline for cause and progressive discipline as part of all trial court employees' employment protection systems.
- Does not alter the means by which memoranda of understanding or personnel policies, procedures, and plans related to trial court employees are modified.

The final report, dated December 31, 1999, was recently submitted to the Legislature and the Administration and includes the Task Force's final findings and recommendations on establishing a system of uniform court employee classifications. Implementation of the report's recommendations would require legislation